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ATTORNEYS FOR PLAINTIFF

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JONATHAN C. KALTWASSER,
on behalf of himself and all others
similarly situated,

Plaintiff.

V.

AT&T MOBILITY, LLC f/k/a
CINGULAR WIRELESS LLC

Defendant

CASE NO.: 5:07-cv-00411-JF

**STIPULATION AND [PROPOSED]
ORDER REGARDING PAGE LIMIT FOR
PLAINTIFF'S RESPONSE TO
DEFENDANT'S RENEWED MOTION TO
COMPEL ARBITRATION AND STAY
LITIGATION AND MOTION TO STRIKE
CLASS ALLEGATIONS**

Judge: Honorable Jeremy Fogel
Date: September 9, 2011
Time: 9:00am
Courtroom: 3

1 WHEREAS, on July 13, 2011, Defendant filed a Renewed Motion to Compel Arbitration and
2 Stay Litigation and a Motion to Strike Class Allegations (collectively “Defendant’s Motions”);

3 WHEREAS, Local Rule 7-4 provides Plaintiff twenty-five (25) pages for each memorandum
4 responding to Defendant’s Motions, and provides Defendant fifteen (15) pages for each reply
5 memorandum;

6 WHEREAS, Plaintiff’s responses to Defendant’s Renewed Motion to Compel Arbitration and
7 Stay Litigation and to Defendant’s Motion to Strike Class Allegations present many of the same
8 background and legal arguments in each, making much of the two responses duplicative;

9 WHEREAS, pursuant to Local Rule 7.4(b), Plaintiff hereby moves the Court for permission
10 to file a single brief not to exceed forty (40) pages instead of filing two separate twenty-five (25)
11 page briefs.

12 WHEREAS, Defendant stipulates to this request and reserves its right to file two separate
13 reply briefs of fifteen (15) pages each as provided by the Local Rule 7-4.

14 **THEREFORE, IT IS HEREBY STIPULATED** that Plaintiff shall have up to forty (40)
15 pages to file a combined opposition to Defendant’s Renewed Motion to Compel Arbitration and Stay
16 Litigation and Defendant’s Motion to Strike Class Allegations.

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19 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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21 Dated: August 17, 2011



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Honorable Jeremy Fogel

1 The Parties respectfully request that this Court enter this Stipulation.

2 Dated: August 8, 2011

3 **AGREED TO BY:**

4 **STEMBER FEINSTEIN DOYLE
& PAYNE, LLC**

5 By: s/Joseph N. Kravec, Jr.

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Attorneys for Plaintiff and the Proposed Class

Stipulation and [Proposed] Order Regarding Page Limit for Plaintiff's Response to Defendant's Renewed Motion to Compel Arbitration and Stay Litigation and Motion to Strike Class Allegations
Case No.: 5:07-cv-00411-JF